

REMARKS

The present amendments cancel claims, comply with requirements of form expressly set forth in the previous Office Action, and present rejected claims in better form for consideration on appeal. The amendments to claims 2, 20, and 21 find support in the specification and claims as originally filed. No new matter is introduced by way of the claim amendments. The amendments to claim 2 incorporate limitations from claim 15, and also find support, for example, at page 10, lines 25-29 and elsewhere in the specification. The extra period of claim 2 is also eliminated with this amendment. The amendments to claims 20 and 21 correct claim dependency in view of the cancellation of claim 18, and find support, for example, at page 9, lines 21-22; at page 10, lines 25-29; and at page 15, lines 22-24. Claim 10 now being cancelled, the objection for lack of a period at the end of the claim is believed to be moot.

Claims 2-5 and 7-21 are pending in the application. Claim 15 stands objected to as depending from a rejected claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 2-5, 7-14, and 16-21 stand rejected under 35 U.S.C. § 112, first paragraph as allegedly containing new matter. Applicants respectfully traverse the rejections.

The Rejections under 35 U.S.C. § 112, first paragraph

Applicants have amended claim 2 to include all the limitations of claim 15, so that claim 2 recites the subject matter of claim 15 rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, applicants respectfully submit that claim 2 is condition for allowance.

Claims 2-5, 7-14, and 16-21 stand rejected under 35 U.S.C. § 112, first paragraph as allegedly containing new matter. The Examiner, referring to pharmaceutical compositions effective to retain their efficacy for greater than six months when stored at about 5 degrees Celsius, stated that "there is no general disclosure or contemplation of pharmaceutical compositions having this efficacy." Applicants respectfully submit that the specification contains general disclosure of pharmaceutical compositions having such efficacy, and direct the Examiner's attention to, for example,

page 20, lines 21-29; page 21, lines 1-23; page 28, lines 8-14; page 42, lines 9-26; Tables 4, 8, and 9; and elsewhere in the specification.

In order to expedite prosecution of the claims to issue, applicants have cancelled claims 3-5, 7-10, 12-16 and 18-19. Claims 11, 17, 20 and 21 depend from, and further limit, amended claim 2. For example, claim 17 includes the further limitation that the NGF is 118 amino acid NGF, while claim 20 further specifies that the NGF is a homodimer of recombinant human 118 amino acid NGF. Accordingly, applicants respectfully submit that claims 11, 17, 20 and 21 stand in condition for allowance.

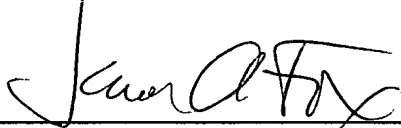
CONCLUSION

Applicants respectfully submit that the rejections to claims 2, 11, 17, 20 and 21 are overcome by the above amendments, and respectfully request the reconsideration and allowance of claims 2, 11, 17, 20 and 21.

Please charge any additional fees, including any fees for extension of time, or credit overpayment to Deposit Account No. 08-1641 referencing Attorney's Docket No. 39766-0047 C1.

Respectfully submitted,

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By: 
James A. Fox (Reg. No. 38,455)

Heller Ehrman White & McAuliffe LLP
275 Middlefield Road
Menlo Park, California 94025-3506
Telephone: (650) 324-7000
Facsimile: (650) 324-0638

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